

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-10 are presently pending in this case. Claims 1, 5, and 6 are amended and new Claims 7-10 are added by the present amendment. As amended Claims 1, 5, and 6 and new Claims 7-10 are supported by the original disclosure,¹ no new matter is added.

In the outstanding Official Action, Claim 6 was rejected under 35 U.S.C. §101; Claims 1-5 were rejected under 35 U.S.C. §102(b) as anticipated by Tamura et al. (U.S. Patent Application Publication No. 20020048455, hereinafter “Tamura”); and Claim 6 was rejected under 35 U.S.C. §103(a) as unpatentable over Tamura.

Initially, applicants and applicants’ representatives thank Examiner Whipkey for the interview held on June 5, 2007 to discuss the present case. During the interview, differences between the claimed invention and the cited references were discussed in detail, as were proposed amendments as presented herein. Examiner Whipkey agreed that the proposed amendments appear to overcome the rejections of record.

The abstract is amended herewith to place it in conformance with U.S. practice. No new matter is added.

With regard to the rejection of Claim 6 under 35 U.S.C. §101, Claim 6 is amended to recite “A computer-readable recording medium encoded with a program.” Accordingly, Claim 6 is in compliance with all requirements under 35 U.S.C. §101.

With regard to the rejection of Claims 1-5 as anticipated by Tamura, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

¹See, e.g., the specification at page 12, lines 19-24.

a creation means for creating one composite image from an arrangement of a plurality of associated captured small images;

image file creation means for creating an image file including a vertical size and a horizontal size of each of the plurality of associated captured small images in the composite image;

a display control means for controlling display of the composite image; and

an extraction means for extracting a specified small image from the composite image whose display is controlled by the display control means.

In contrast, Tamura describes a camera including a image printing system. The camera includes a screen 122 that displays a plurality of images 122e.² However, it is respectfully submitted that Tamura does not teach that an image file is created including a vertical size and a horizontal size of each of images 122e. Thus, it is respectfully submitted that Tamura does not teach “image file creation means” as defined in amended Claim 1. Consequently, Claim 1 (and Claims 2-4 dependent therefrom) is not anticipated by Tamura and is patentable thereover.

Claims 5 and 6 recite in part “creating an image file including a vertical size and a horizontal size of each of the plurality of associated captured small images in the composite image.” As noted above, Tamura does not teach or suggest that an image file is created including a vertical size and a horizontal size of each of images 122e. Thus, it is respectfully submitted that Tamura does not teach or suggest “creating an image file” as defined in amended Claims 5 and 6. Consequently, Claims 5 and 6 are not anticipated by Tamura and are patentable thereover.

New Claims 7-10 are supported at least by original Claim 1-4 and the specification at page 12, lines 19-24. New Claim 7 recites in part “an image file creation unit configured to create an image file including a vertical and horizontal size of each of the plurality of associated captured small images in the composite image.”

²See Tamura, Figure 12 and paragraphs 211-216.

Application No. 10/743,082
Reply to Office Action of March 12, 2007

As noted above, Tamura does not teach any element configured to create an image file including a vertical size and a horizontal size of each of images 122e. Thus, it is respectfully submitted that Tamura does not teach “an image file creation unit” as defined in new Claim 7. Consequently, new Claim 7 (and Claims 8-10 dependent therefrom) is not anticipated by Tamura and is patentable thereover.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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